



Agricultural Land Commission
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December 5, 2008

Reply to the attention of Ron Wallace
ALC File: MM-38562

Van Eekelen Farms Ltd
38900 No 4 Road
Abbotsford, BC V3G2G2

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 765/2008 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans for both the subdivision and consolidation to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plans.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: City of Abbotsford (3040-20/A08-009)

RW/
i/MM-38562d1



A meeting was held by the Provincial Agricultural Land Commission on November 17, 2008 in Abbotsford, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Ron Wallace	Staff
	Tony Pellett	Staff

For Consideration

Application: # MM- 38562
 Applicant: Van Eekelen Farms Ltd
 Proposal: The owners are proposing a subdivision application involving three parcels, two of which are contiguous. The proposal involves two steps:

- Consolidate two parcels (one 2.9 ha and one 13.8 ha) into one parcel of 16.7 ha located at 2900 Block Marion Road.
- Subdivide one parcel of 36.9 ha into two parcels (one 20.2 ha and one 16.6 ha) located at 3380 Dixon Road.

Legal: PID: 002-589-613
 Lot 138, Section 26, Township 19, New Westminster District, Plan 4211
 PID: 010-842-195
 Lot 200, Parcel B, Section 23, Township 19, Explanatory Plan 7135, New Westminster District, Plan 4211
 PID: 005-959-021
 Lot 200, Parcel 2, (Plan with fee deposited 234688E) Section 23, Township 19, New Westminster District, Plan 4211

Location: The two contiguous lots are located at 2900 Marion Road, Abbotsford

 The lot proposed for subdivision s located on Dixon Road, Abbotsford.

Site Inspection

A site inspection was conducted on November 17, 2008. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Peter Van Eekelen Applicant

The Commissioners and staff met with Peter Van Eekelen and viewed both property locations subject to this application. Mr. Van Eekelen indicated that the soils in the Marion Road area are more favourable for the crop types his farm grows. The proposed subdivision of the land on Dixon Road into two parcels would enable them to sell a

parcel to then fund the purchase of more land in the Marion Road area, as it becomes available.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Subclasses

M	soil moisture deficiency
D	undesirable soil structure
S	cumulative and minor adverse
W	excess water

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believed the subdivision and consolidation outlined in the proposal would benefit the applicant's farm operation. The Commission also believes the proposal would not impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal to subdivide and consolidate will benefit agriculture.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Bose
SECONDED BY: Commissioner Tomlinson

THAT the application be allowed subject to the following conditions:

- the subdivision and consolidation be carried out concurrently and be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 765/2008

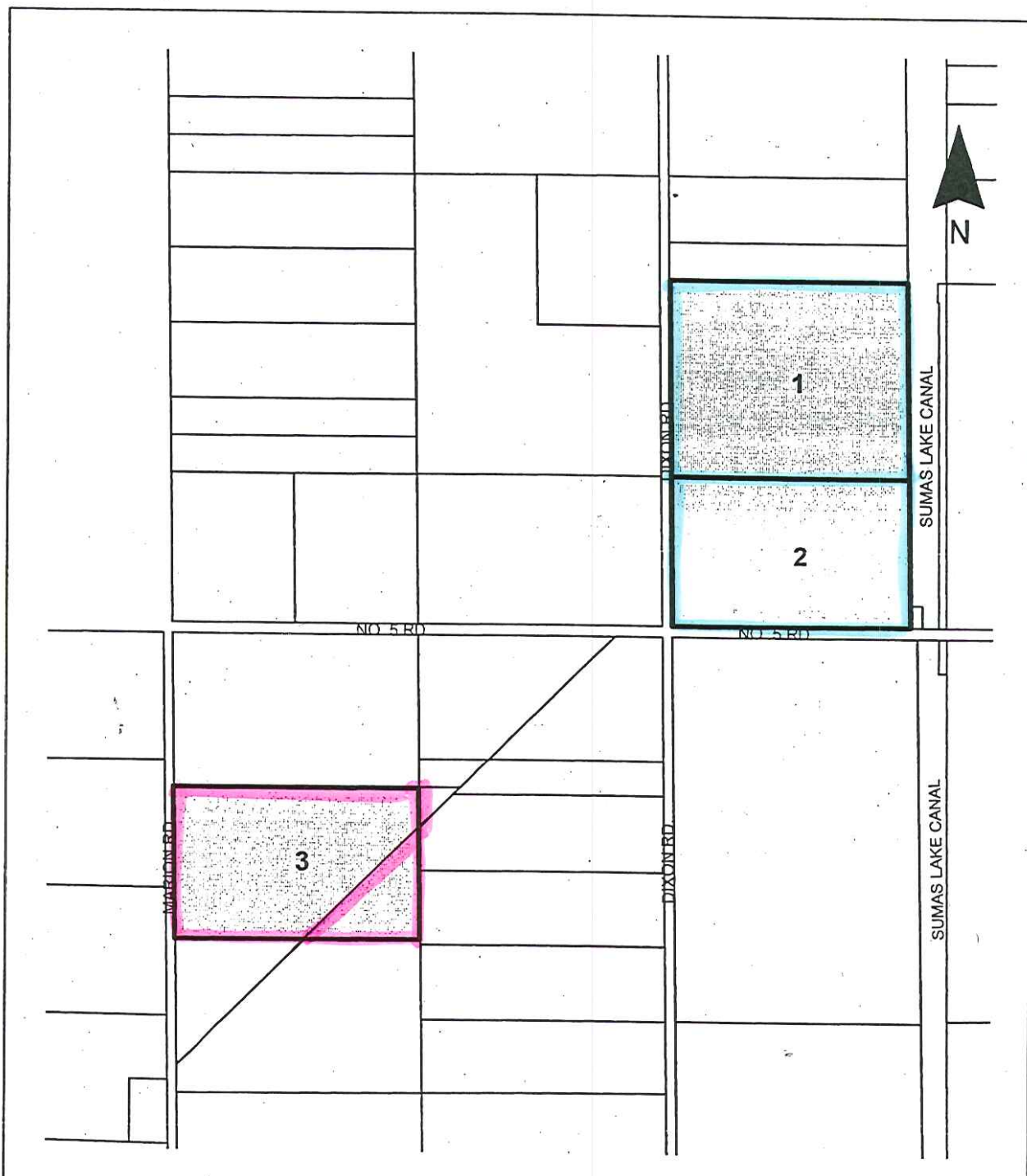


FIGURE 2 PROPOSED SUBDIVISION



ADDRESS: 3380 Dixon Road and Parcel B and Lot 2 Marion Road
 APPLICANT: Van Eekelen Farms

FILE NO.
 3040-20/A08-009



ABBOTSFORD
 Development Services Department - Development Approvals

Provincial Agricultural Land Commission
 Application #MM-38562
 Resolution #765/2008

-  Approved for subdivision in the ALR
-  Lots to be consolidated